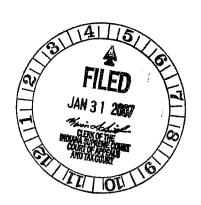
In the Indiana Supreme Court



IN THE MATTER OF THE)	_
•)	Case No. 35S00-C702MS- 46
APPROVAL OF LOCAL RULES)	
•)	
FOR HUNTINGTON COUNTY)	

ORDER APPROVING AMENDED LOCAL RULE

The judges of the Huntington Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order is the proposed amended local rule

Upon examination of the proposed rule amendment requested by the Huntington Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR 35-AD1-50 complies with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved effective thirty (30) days after the rule has been posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that local rule LR 35-AD1-50 for Huntington County Courts, set forth as an attachment to this Order, is approved effective thirty (30) days after the rule has been posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Thomas A. Hakes, Huntington Circuit Court, 201 North Jefferson Street, #301, Huntington, IN 46750-2800; the Hon. Jeffrey R. Heffelfinger, Huntington Superior Court, 201 North Jefferson Street, #302, Huntington, IN 46750-2867, and to the Clerk of the Huntington Circuit Court.

The Clerk of the Huntington Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 3/5^t day of January, 2007.

FOR THE COURT

Randall T. Shepard

Chief Justice of Indiana

LR 35-00-43

PROCEDURE NOT OTHERWISE SPECIFIED

If no procedure is specifically prescribed by these rules, the Court
may proceed in any lawful manner not inconsistent with these rules
or with any applicable constitutional provision, statute, rule of the
Supreme Court of Indiana, or local civil rules of the Huntington
Circuit and Superior Courts.

LR 35-AD1-50

HUNTINGTON COUNTY PLAN FOR ALLOCATION OF JUDICIAL RESOURCES

After full review of the weighted caseloads of the courts of Huntington County, we the undersigned judges of Huntington County, hereby adopt Local Rule 35-AD1-50 entitled Huntington County Plan for Allocation of Judicial Resources.

On a permanent basis, all criminal cases where Battery on a Child, a class D felony is the most serious charge shall be assigned to the Huntington Circuit Court.

The judges of the Huntington Circuit Court and Huntington Superior Court shall meet on or before December 1st of each year and determine an appropriate ration of DR cases for assignment to each court so as to comply with the caseload allocation required by the Administrative Rule 1.

RULES OF COURT FOR THE CIRCUIT AND SUPERIOR COURT OF THE 56TH JUDICIAL CIRCUIT HUNTINGTON COUNTY, INDIANA

ORDER ADOPTING RULES OF PRACTICE AND PROCEDURE IN THE CIRCUIT AND SUPERIOR COURT OF THE 56TH JUDICIAL CIRCUIT

These rules are adopted pursuant to the authority of Indiana Rules of Trial procedure, T.R. 81, and are intended to supplement those rules as well as the Indiana Rules of Criminal Procedure. They shall govern the practice and procedure in all cases in the Huntington Circuit and Superior Courts, and shall be construed to secure the just, speedy and efficient determination of every action.

It is Ordered that all existing local rules of Court for the Circuit and Superior Courts of the Fifty-Sixth (56th) Judicial Circuit, Huntington County, Indiana, relating to rules of general, civil, probate, domestic relations, and criminal practice and procedure, shall be and hereby are revoked as of January 1, 2007.

Pursuant to TR 81(D) the court finds that just cause exists to deviate from the schedule established by the Indiana State Court Administration. It is therefore Ordered that the following general local rules relating to practice and procedure in the Circuit or Superior Court of the Fifty-Sixth (65th) Judicial Circuit, Huntington, Indiana, be and the same are hereby adopted, effective on January 1, 2007.

Dated this 13th day of work beg	2006
(5/	(>)
HON. JEFFREY R. HEFFELFINGER	HON. THOMAS M. HAKES
HUNTINGTON SUPERIOR COURT	PERMANENT JUDGE PRO TEM
	HUNTINGTON CIRCUIT COURT

(This document intended for Supreme Court internal use only)

Huntington County Caseload Allocation Plan

RECOMMENDATION:

It is my recommendation that the Huntington County caseload plan be approved as currently submitted. Based upon preliminary calculations, the proposed caseload allocation plan meets the requirements set forth in Administrative Rule 1. The estimated weighted caseload utilization variance between Huntington Circuit and Superior Court is approximately thirty-five percentage points, (.35) which is well below the maximum allowable variance of forty percentage points (.40) (see Table 1).

Estimated	d Weighted		Table 1 Huntington County trial courts upon cases filed in 2005)	under proposed plan
	Circuit	Sup Ct		totals
Total Actual Minutes:	98,433	133,908		232,341
Projected Need (year)	1.22	1.66		2.88
Actual Have:	1.25	1.25		2.50
Projected Utilization:	.9765	1.3285		1.1512

PROCESS:

Weighted caseloads for each targeted court were estimated based upon the proposed allocation of targeted cases using the number of new cases filed in Huntington County in 2005.

For a detailed breakdown of the calculations for each case type please see Appendix A.

Michael J. Murphy, Esq 1/25/07

Appendix A Huntington County 2006 WCL Plan

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